

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

ELISA W., *et al.*,

Plaintiffs,

15 Civ. 5273 (KMW) (SLC)

-against-

THE CITY OF NEW YORK, *et al.*,

Defendants.

**DECLARATION OF JULIE A. NORTH IN SUPPORT OF NAMED PLAINTIFF  
CHILDREN’S REPLY IN SUPPORT OF PLAINTIFFS’ RENEWED MOTION FOR  
CLASS CERTIFICATION**

I, Julie A. North, declare the following:

1. I am a member of the law firm of Cravath, Swaine & Moore LLP (“Cravath”), co-counsel for Elisa W.; Alexandria R., by her next friend, Alison Max Rothschild; Thierry E., by his next friend, Michael B. Mushlin; Lucas T., Ximena T., Jose T.C. and Valentina T.C., by their next friend, Rachel Friedman; Ayanna J., by her next friend, Meyghan McCrea; Olivia and Ana-Maria R., by their next friend, Dawn Cardi; Xavion M., by his next friend, Michael B. Mushlin; Dameon C., by his next friend, Reverend Doctor Gwendolyn Hadley-Hall; Tyrone M., by his next friend, Bishop Lillian Robinson-Wiltshire; Brittney W., by her next friend, Shamara Mills; Mikayla G., by her next friend, Michael B. Mushlin; Myls J. and Malik M., by their next friend, Elizabeth Hendrix; and Emmanuel S. and Matthew V., by their next friend, Samuel D. Perry, individually and on behalf of a class of all others similarly situated (“Named Plaintiff Children” or “Plaintiffs”) in the above-captioned matter. I submit this Declaration in Support of Named Plaintiff Children’s Reply in Support of Plaintiffs’ Renewed Motion for Class Certification.

**A. Publications**

2. Attached hereto as Exhibit 1 is a true and correct copy of the article by Madelyn Freundlich et al., *Care or Scare: The Safety of Youth in Congregate Care in New York City*, CHILD ABUSE & NEGLECT 31 (2007).

3. Attached hereto as Exhibit 2 is a true and correct copy of Lessons Learned from Child Welfare Class Action Litigation: A Case Study of Tennessee's Reform, <https://cssp.org/wp-content/uploads/2019/02/Tennessee-Case-Study-FINAL.pdf>, last visited March 31, 2021

**B. Deposition Excerpts**

4. Attached hereto as Exhibit 3 is a true and correct copy of excerpts from the transcript of the 30(b)(6) deposition of Carla Riccobono, as a corporate designee of New Alternatives for Children, taken on September 27, 2018.

5. Attached hereto as Exhibit 4 is a true and correct copy of excerpts from the 30(b)(6) deposition transcript of Audrey Erazo, as a corporate designee of Cardinal McCloskey Community Services, taken on October 30, 2018.

6. Attached hereto as Exhibit 5 is a true and correct copy of excerpts from the 30(b)(6) deposition transcript of Shanna Gonzalez, as a corporate designee of Heartshare St. Vincent Services, taken on November 9, 2018.

7. Attached hereto as Exhibit 6 is a true and correct copy of excerpts from the deposition transcript of Julie Farber, Deputy Commissioner of Family Permanency Services, ACS, taken on March 28, 2019.

8. Attached hereto as Exhibit 7 is a true and correct copy of excerpts from the deposition transcript of Dr. Fred Wulczyn, taken on February 17, 2021.

9. Attached hereto as Exhibit 8 is a true and correct copy of excerpts from the deposition transcript of Margaret A. Burt, taken on February 26, 2021.

**C. Produced Documents**

10. Attached hereto as Exhibit 9 is a true and correct copy of Named Plaintiff Child Elisa W.'s Family Services Progress Notes that were produced by City Defendant in response to certain of the Named Plaintiff Children's requests for production, bearing the beginning Bates number NYC\_01128783.

**D. Correspondence**

11. Attached hereto as Exhibit 10 is a true and correct copy of a letter from State Defendant's counsel, Samantha Buchalter, to Named Plaintiff Children's Counsel, Nicole Peles, dated November 25, 2020.

12. Attached hereto as Exhibit 11 is a true and correct copy of a letter from City Defendant's counsel, Jonathan Pines, to the Named Plaintiff Children's Counsel, Nicole Peles, dated December 9, 2020.

**E. Public Documents and Websites**

13. Attached hereto as Exhibit 12 is a true and correct copy of the website Ethics for Attorneys for Children, <https://www.nycourts.gov/courts/ad4/afc/afc-ethics.pdf>, last visited March 20, 2021.

14. Attached hereto as Exhibit 13 is a true and correct copy of the data for "Maltreatment in Foster Care" from the website Outcomes 1 & 2: Safety, U.S. Dep't of Health

and Human Servs. Admin. for Child. & Fam., <https://cwoutcomes.acf.hhs.gov/cwodatasite/recurrence/index>, last visited April 1, 2021.

15. Attached hereto as Exhibit 14 is a true and correct copy of the Data/Policy: Snapshot of Children Receiving ACS Services, NYC Admin. for Child.'s Servs., <https://www1.nyc.gov/site/acs/about/data-policy.page>, last visited March 20, 2021.

16. Attached hereto as Exhibit 15 is a true and correct copy of Table C-1 from Child Maltreatment 2018, U.S. Dep't of Health and Human Servs. Admin. for Child. & Fam., <https://www.acf.hhs.gov/sites/default/files/documents/cb/cm2018.pdf>, last visited April 1, 2021.

I declare under penalty of perjury that the foregoing is true and correct.

Executed this 1st day of April 2021, at New York, New York.

/s/ Julie A. North  
Julie A. North